

October 21, 2020

The Trustees of the Village of Malcolm met on Wednesday, October 21, 2020 at 7:00 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE for such business as shall come before said Trustees. Due to COVID, the October 7<sup>th</sup>, 2020 meeting was postponed to October 21, 2020. Notice of the original meeting was in the September 24, 2020 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, October 5, 2020. On October 6<sup>th</sup> it was posted on the website, Fire Station, Malcolm Post Office, Village Hall and in the Lincoln Journal Star due to the postponement of the Public Hearing for the One & Six Year Street Plans that the meeting has been moved to October 21, 2020.

#### ROLL CALL

Rohe, Hicken, Kopecky

Absent: Schweitzer, Little

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Judy Jirovsky, Tad Hardin, Connie Vifquain, Mr. & Mrs. Larry Hardin and Tad's Aunt and Mike Beach.

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the September 2, 2020 meeting, seconded by Hicken. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky; NAY: None; Motion carried 3- 0; Members absent: Schweitzer, Little.

TREASURER REPORT – Rohe made a motion to accept the treasurer's report for the month of September 2020, with disbursements of \$17,934.76 and deposits of \$50,756.36. Motion seconded by Kopecky. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky; NAY: None; Motion carried 3-0; Members absent: Schweitzer, Little.

Tad Harden and Connie Vifquain approached the Board about the process of rezoning an area of land in Malcolm that they are in the process of buying property to build an indoor RV storage. Tad will be in contact with the Village Attorney as to the steps required to begin the rezoning process.

Rohe made a motion to change the order of the agenda, Hicken seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky; NAY: None; Motion carried 3-0; Members absent: Schweitzer, Little.

MAINTENANCE REPORT: A report was submitted and received by the Board.

- The new fire hydrant was installed at West 1<sup>st</sup> & Malcolm Road on October 8, 2020
- The VFD and a new panel was installed at Well 4; the meter pit will be installed on October 22<sup>nd</sup>, so the pressure sensor can be installed.

David Schaefer was present to discuss placing shipping containers on the north side of his existing business located at 110 North East Street. Dave submitted a Use Permit and asked for a various of the setbacks. Board advised David Schaefer to take this to the Malcolm Planning Commission for further review on shipping containers and the various.

Jerad Little joined the meeting at 7:45 p.m.

Rohe opened the Public Hearing for the One- & Six-Year Street Plan at 8:00 p.m. Gary Steele with Miller and Associates was present to answer any questions and present the map showing the 1 Year Plan with Maintenance Only. With no visitors or concerns, the Public Hearing closed at 8:06 p.m.

Rohe made a motion to approve Resolution 2020-12, A Resolution that the attached One and Six-Year Street Improvement Programs are hereby adopted by said Village Board. Hicken seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Members absent: Schweitzer.

Rohe signed the Standardized System of Annual Reporting (SSAR) form for Fiscal Year Ending, September 30, 2020 for the estimated local Option Sales Tax revenues from motor vehicles for next fiscal year, which is required to be reported by LB 904.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

Kelly Paro and Jake with Aspen Builders were present to answer any questions regarding the two building permits for the new homes to be built on Lot 110 and Lot 111 (just east of the Northwest Community Church) in Malcolm.

Recommendation 351 - Following further review of the building permits, plans and Planning Commission recommendations, Rohe made a motion to approve the Building Permit for a new home on Lot 110, Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Members absent: Schweitzer.

Recommendation 352 - Rohe made a motion to approve the Building Permit for a new home on Lot 111, Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Members absent: Schweitzer.

Rohe made a motion to take a 15-minute break at 8:30 p.m. Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Members absent: Schweitzer.

Board back in session at 8:44 p.m.

Jeff Schweitzer arrived at 8:44 p.m.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

- The Hazardous Waste Collection site that was held on September 11, 2020 at the Fire Station had 63 participants and collected 3,551 pounds of waste.

BACKGROUND: ZITO Media Agreement: Tabled until the Agreement from ZITO is received.

BACKGROUND: Creek erosion at the left field light pole at ball field: The approval from the Corp of Engineers was received today. After further review, Board advised Clerk to give copies to the contractors and have new bids submitted for the work. Grants will also be researched. This item will be tabled until the December meeting.

BACKGROUND: Sidewalk at big park: Board members will inspect the Bridge to see if it can be repaired or if it needs to be removed. The Village Attorney will research to see if a sidewalk is required from the parking lot to the playground and report at the next meeting.

BACKGROUND: Recycling Center – Bill of Sale: The City of Lincoln Transportation and Utilities Department Solid Waste Management Division hereby conveys the title of ownership for the recycling containers to the Village of Malcolm. After further review, Rohe made a motion to approve the Bill of Sale, Schweitzer seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 5-0; Members absent: None.

Scott Stratton submitted a bid to purchase all of recycling containers for \$2,175.00. Rohe made a motion to sell the containers for \$2,718.75, Little seconded the motion. Following further research and review, Rohe made a motion to amend is motion to \$3,000.00 for all 8 containers. Little seconded the amendment. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: Schweitzer; Motion carried 4-1; Members absent: None.

BACKGROUND: Sargent Drilling – Well and Pump Test: Sargent Drilling Well and pump test results: On August 12, 2020 Sargent Drilling performed well and pump tests on the Village's three wells. Board reviewed results

BACKGROUND: Renewal of LARM – Village Insurance for \$13,403.00: After reviewing the Statement of Values, Rohe made a motion to renew the Insurance Policy for \$13,403.00 which covers the Village from October 1, 2020 to October 1, 2021. Hicken seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Update Zoning Map: The Malcolm zoning map has not been updated for several years. This item will be tabled until the map is updated.

BACKGROUND: Malcolm Planning Commission – new member Jared Ritze: Hicken made a motion to appoint Jared Ritze to the Malcolm Planning Commission. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Building Permit – Kenneth & Tori Conklin – shed at 560 Malcolm Road: Board After review of the permit, Little made a motion to approve the permit for Kenneth & Tori Conklin for a shed. Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Building Permit – Brian & Angie Leffers (Brixstone Coffee Shop): After further review of the permit, Kopecky made a motion to approve the permit for the plumbing remodel for Brixstone Coffee and Bakehouse. Hicken seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Tru-Green – bid for 2021 fertilizer for both parks - \$1,250.18: Little made a motion to approve the bid from Tru-Green for \$1,250.18 to fertilize both parks for 2021, Schweitzer seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 353 – Building Permit – Don Pekarek curb cut at 320 Malcolm Road: after further review of the permit and Malcolm Planning Commission Recommendation 353, Rohe made a motion to approve the permit for a curb cut at 320 Malcolm Road. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Schweitzer, Little; NAY: Kopecky, Hicken; Motion carried 3-2; Members absent: None.

Peddler's Permit – ZITO Media submitted a peddler's permit for a representative to walk door to door to inform residents of Malcolm of the services that ZITO is providing for the Village of Malcolm. Rohe made a motion to approve the permit contingent on receiving the application fee. Hicken seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Little; NAY: Schweitzer, Kopecky; Motion carried 3-2; Members absent: None.

With no further business to discuss, Rohe moved to adjourn at 10:24 p.m. Hicken seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk